

## REMARKS

Claims 1 – 23 are pending. In the above-identified Office Action, the Examiner objected to Claim 1 and rejected Claim 1 under 35 U.S.C. § 112, second paragraph. Claims 1, 2, 4 – 6, 11 – 14, and 16 – 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bates *et al.* ('237). Claims 3, 7, 8 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates *et al.* in view of Bickford *et al.* ('320). Claims 9, 10 and 19 – 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates *et al.* in view of Bickford *et al.* and further in view of Dennison *et al.* ('814).

By this Paper, Applicant has amended Claim 1 to include the limitations of Claim 7 and amended Claim 13 to include the limitations of Claim 19. Claims 7 and 19 have been canceled. New Claims 24 – 29 have been added for consideration. Claims 24 and 25 track prior Claims 3 and 4 and have been presented in independent form. Likewise, Claims 26 and 27 track prior Claims 15 and 16 and are presented in independent form. Claims 28 and 29 track prior Claims 9 and 20 and are presented in independent form. Additional minor changes have been made in the claims.

For the reasons set forth below, the present Application is believed to be in proper form for allowance. Reconsideration allowance and passage to issue are respectfully requested.

The present invention addresses the need in the art for a system and/or method for enabling users of radio receivers that operate in a mobile environments to identify and receive radio stations with a desired program content, or preferred alternate program content, as the radio receiver travels through a geographic region larger than the radio coverage area of a single radio station.

The invention is set forth in claims of varying scope of which Claim 1, as amended, is illustrative. Claim 1 now recites:

1. An apparatus comprising:
  - a radio receiver having an input for receiving radio station identities for specifying radio stations for reception and an output indicating a presently received signal strength;
  - a memory having stored therein a plurality of radio station identities organized according to program content specifiers, **said memory having stored therein a plurality of location coordinates associated with said plurality of radio station identifiers**; and
  - a controller coupled to said receiver and said memory and operable to recall one of said plurality of radio station identities referenced to the same program content specifier as a presently specified radio station when the presently received signal strength meets a threshold. (*Emphasis added.*)

None of the references, including those cited but not applied, teach, disclose or suggest the invention as presently claimed. That is, none of the references teach, disclose or suggest an apparatus having a radio receiver, a memory adapted to store radio station identifiers and location coordinates and a controller as presently claimed.

In the above-identified Office Action, the Examiner relied heavily on Bates, Bickford and Dennison *et al.* Bates was cited as teaching a receiver with a controller and a memory in which station identities are stored. The Examiner acknowledged that Bates does not teach a storage of location coordinates. However, the Examiner suggested that this teaching is provided by Bickford in Fig. 7, at col. 8, lines 4 – 21, and col. 13, lines 10 – 12. However, the Examiner's position is not supported by the express or implied teachings of the reference.

Fig. 7 of Bickford is a diagram which illustrates the creation of selectable categories of available broadcast signals during the program type snapshot operational mode. However, nothing in this figure teaches or suggests a storage of station location coordinates.

Column 8, lines 4 – 21 of Bickford appear to teach the association of frequencies with presets. Column 13, lines 10 – 12 expressly teach the storage of frequencies at "preset locations". Clearly, Bickford is at most teaching a location of storage frequencies at preset locations, not a storage of station location coordinates as presently claimed.

Dennison was cited as teaching a GPS receiver. However, Dennison fails to overcome the shortcomings of Bates and Bickford. That is, Dennison fails to teach, disclose or suggest a location of storage frequencies at preset locations, not a storage of station location coordinates as presently claimed.

With respect to prior Claims 9 and 20, the Examiner suggests that it would be obvious to combine the teachings of Bates and Bickford with the teachings of Dennison to provide present location coordinates for a receiver. In this connection, the Examiner suggests that the motivation for doing so would be to determine the precise location of a mobile unit. However, this is a *non sequitor*.


First, there is no basis for the combination. GPS receivers inherently provide position information. Hence, there would be no reason to connect the output of the GPS receiver to a controller of a receiver to simply ascertain position information. What is needed for the combination *vis-à-vis* the present invention is an understanding of why it would be beneficial to couple the output of the GPS receiver to the controller of the receiver. None of the cited references provide a suggestion as to why it would be beneficial to couple the GPS receiver to the controller *per se*.

In accordance with the present teachings, the GPS receiver is coupled to the controller to narrow the search space for frequencies for the controller to move to as the signal strength of the prior station approaches a minimum threshold.

No such basis for the combination may be found in the references. Hence, it would not be obvious to combine the teachings of Bates, Bickford and Dennison *et al.* Further, the combined teachings of these references would still fall short of teaching the invention as claimed.

Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

Respectfully submitted,  
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